



General Assembly

January Session, 2011

Raised Bill No. 942

LCO No. 3134

03134_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING THE INTEGRITY OF ELECTIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 9-229 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (c) The secretary shall conduct certification sessions for moderators
5 and alternate moderators each year at times and places to be
6 determined by said secretary, provided at least eight such sessions
7 shall be held each calendar year and at least one such session shall be
8 conducted prior to every primary. The secretary shall certify each
9 person who successfully completes an instructional session conducted
10 in accordance with the provisions of subsection (b) of this section and
11 an examination administered by the secretary, as eligible to serve as
12 moderator or alternate moderator at any election or primary held
13 during the time such certification is effective. Any such certification
14 made on or after October 1, [1993] 2011, shall be effective for [four] two
15 years from the date of such certification. Only those persons who
16 attend and are thereby certified at such session shall be eligible to

17 serve as moderators on election or primary day, except as provided in
18 subsection (d) of this section or section 9-436. The Secretary of the State
19 may adopt regulations, in accordance with the provisions of chapter
20 54, as the secretary deems necessary to implement the certification
21 process under this section.

22 Sec. 2. (NEW) (*Effective from passage*) (a) The registrars of voters and
23 municipal clerk of each municipality shall jointly create an emergency
24 contingency plan for elections, primaries and referenda to be held
25 within such municipality. Such plan shall include, but not be limited
26 to, (1) solutions for ballot shortages, and (2) strategies to implement in
27 the event of (A) a shortage or absence of poll workers, (B) a loss of
28 power, (C) a fire or the sounding of an alarm within a polling place,
29 (D) voting machine malfunctions, (E) weather or other natural
30 disasters, (F) the need to remove a poll worker or moderator and to
31 replace such worker or moderator, and (G) disorder in and around the
32 polling place.

33 (b) Such plan shall be submitted to the legislative body of such
34 municipality for approval on or before October 1, 2012. Upon
35 approval, such plan shall remain on file with the municipal clerk until
36 such plan is amended jointly by the registrars of voters and municipal
37 clerk and approved by the legislative body of the municipality. Any
38 municipality that fails to create and adopt an emergency contingency
39 plan on or before October 1, 2012, shall be deemed to have adopted the
40 model plan provided for in regulations adopted pursuant to this
41 section.

42 (c) Any such municipality that activates the emergency contingency
43 plan established pursuant to this section shall provide a written report
44 of such activation to the Secretary of the State not later than thirty days
45 after such activation. Such report shall include the reason for such
46 activation as well as the procedures in the emergency contingency plan
47 that were activated and the outcome of such activation.

48 (d) The Secretary of the State shall adopt regulations, in accordance

49 with the provisions of chapter 54 of the general statutes, as the
50 secretary deems necessary to implement the provisions of this section.
51 Such regulations shall include a model plan that such municipalities
52 may adopt.

53 Sec. 3. (NEW) (*Effective from passage*) The Secretary of the State, or
54 the Secretary's designee, shall be allowed access to each polling place
55 within the state during any municipal, state or federal election,
56 primary or recanvass for the purpose of reviewing each polling place
57 and recanvass for compliance with state and federal law.

58 Sec. 4. (NEW) (*Effective from passage*) (a) The registrar of voters of
59 each municipality shall, not later than thirty-one days prior to each
60 municipal, state or federal election or primary, certify to the Secretary
61 of the State, in writing, the location of each polling place that will be
62 used for such election or primary. Such certification shall detail the
63 name, address, relevant contact information and corresponding
64 federal, state and municipal districts associated with each polling place
65 used for such election or primary.

66 (b) The registrar of voters of each municipality shall, prior to each
67 municipal, state or federal election or primary provide a written report
68 to the Secretary of the State setting forth the names and addresses of
69 each moderator for each polling location disclosed pursuant to
70 subsection (a) of this section.

71 (c) The Secretary of the State shall have the authority to disqualify
72 any moderator appointed by the registrars of voters if, in the opinion
73 of the Secretary, such moderator has committed material misconduct,
74 material neglect of duty or material incompetence in the discharge of
75 his or her duties as a moderator.

76 Sec. 5. (NEW) (*Effective from passage*) (a) The registrars of voters and
77 municipal clerk from each municipality shall jointly certify in writing
78 to the Secretary of the State the number of ballots for each polling place
79 in the municipality that have been ordered for each election or primary

80 to be held within such municipality. Such certification shall be
 81 provided to the Secretary of the State not later than thirty-one days
 82 prior to an election or twenty-one days prior to a primary and shall
 83 specify that such officials have reviewed the historical turnout for each
 84 polling place in the municipality for the past four elections of similar
 85 nature to the election to be held and that they have taken into account
 86 any other relevant factors that may be unique to each polling place in
 87 their municipality.

88 (b) Any registrar of voters and municipal clerk who does not submit
 89 the certification as set forth in subsection (a) of this section shall be
 90 required to order a number of ballots equal to the total number of
 91 registered voters in their respective municipality for such election or
 92 primary.

93 (c) The registrars of voters and municipal clerk may apply to the
 94 Secretary of the State for a waiver from the requirements of
 95 subsections (a) and (b) of this section. Such waiver request shall be
 96 submitted to the Secretary of the State, in writing, not later than the
 97 forty-fifth day before the election or the thirtieth day before the
 98 primary to be held and shall demonstrate good cause for such waiver.
 99 Not later than five days after receipt of such waiver request, the
 100 Secretary shall notify, in writing, the municipal clerk requesting a
 101 waiver of the Secretary's response.

102 (d) The Secretary of the State shall have the authority to reject the
 103 certification submitted pursuant to subsection (a) of this section. If the
 104 Secretary of the State rejects such certification, the Secretary shall
 105 provide the reasons for such rejection in writing. Such rejection by the
 106 Secretary shall require the municipality in question to follow the
 107 provisions of subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-229(c)

Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section

Statement of Purpose:

To preserve the integrity of elections by requiring municipalities to have emergency plans to counter potential issues that may arise on election day, to permit the Secretary of the State increased access and oversight to polling places and to require municipalities to certify the amount of ballots ordered for each polling place, based upon historical turnout and other relevant factors.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]